

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS TX 75202-2733

Jake Causey P. E. Chief Engineer Louisiana Department of Health and Hospitals Engineering Services Central Office PO Box 4489 Baton Rouge, LA 70821-7303

Dear Mr. Causey:

Please find enclosed the Fiscal Year 2013 program review of the Louisiana Department of Health and Hospitals (LDHH) Public Water Supply Supervision (PWSS) Program. The purpose of the annual program review is to assess the status of the State's drinking water primacy program, including the State's ability to achieve new PWSS primacy requirements, program implementation of existing regulations, and other key drinking water activities in accordance to Title 40 of the Code of Federal Regulations, Part 142.17. In addition, the annual program review serves as a valuable tool in identifying strengths and challenges in the State's ability to maintain primacy.

Thank you for your participation in the PWSS program review process. Please contact Amy Camacho of my staff at (214) 665-7175, should you have questions or concerns.

Sincerely,

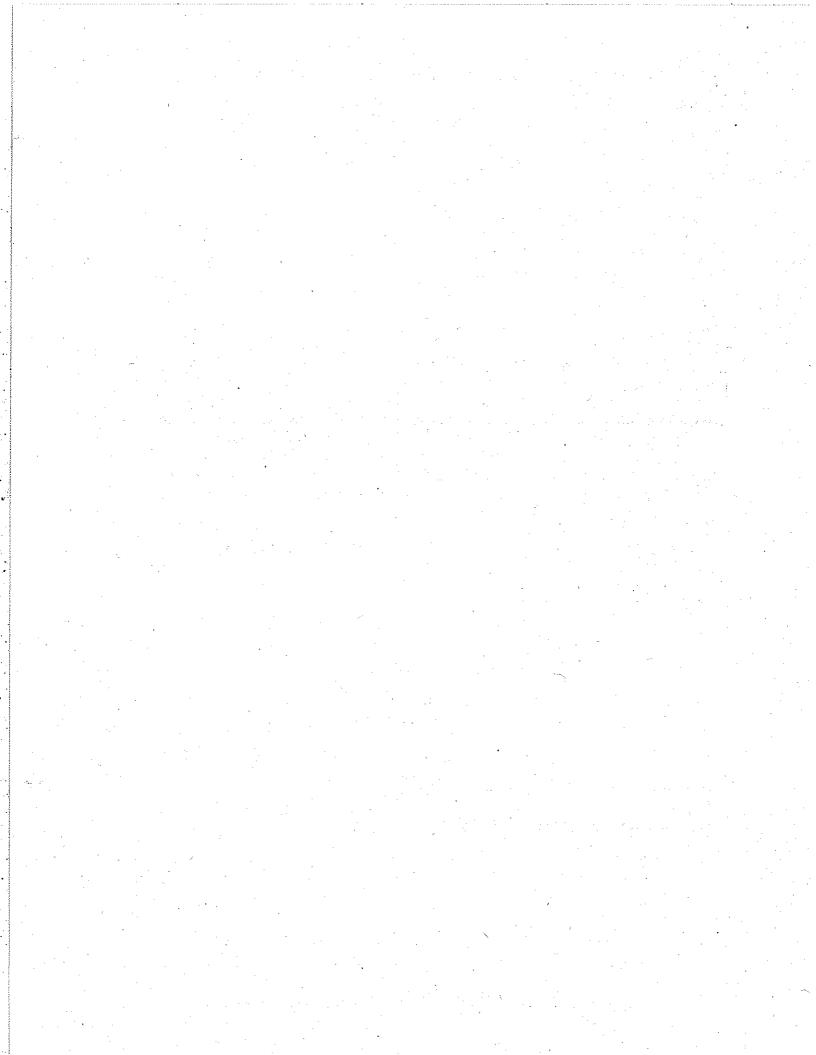
Blake L. Atkins Section Chief

Blen 2. de

**Drinking Water Program** 

Enclosure

cc (w/enclosure): Caryn Benjamin, LDHH



# Environmental Protection Agency Fiscal Year 2013 Program Review

for the

Louisiana Department of Health and Hospitals Public Water System Supervision Program

į	,	
. desident	description of the second of t	
, Oran Marie	delaboration	
on Tenbers	The state of the s	
- seelandra	and the second s	
*7740000		
de service de la constante de	1 1 1	
- Sherholer	Security of the security of th	
	1: -	
- Constitution		
	and the second	
- Company		
-000		
-		
	we was	
	200	
	* .	
-		
an-second	energy and the second	
•		
anifer poor		
. 1		
:	•	
· ·		
넴		
- 1		
operator.		
*		
· ·	4	
- Carolina C		
TOTAL PROPERTY.	-	
4000		
on the same		
and the same	-	
· ·		
/oakanatoa		
Same		
	1 .	
seesibos		
2		
- Alexander		

# Table of Contents

[ <b>.</b> .	Introduction	1 1
IJ.	Summary	1
III.	D. D. mainements	
IV	One-insting Structure & Staffing	
<b>V</b> .	Dale Adoption & Implementation	
	A. Non-Adopted Rule Status – Ground Water Rule	4
	B. Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rule	ر
	C. Total Coliform Rule & Upcoming Revised Total Coliform Rule	۲
	D. Long Term 1 & 2 Enhanced Surface Water Treatment Rule	3
	E. Lead and Copper Rule	0
VI.	Other PWSS Program Initiatives & Statutory Requirements	0
•		0
	R Operator Certification	0
,	C. Source Water Assessment/Wellhead Protection	0
	D. AWOP	o
	E. Water Security	/
•	E Conitary Curyave	/
*.	G Data Reporting & SDWIS/State	1
	TI Tab Conscity & Cartification	0
	I. Annual Compliance Report	11
VII.	Funding	11.
1	A. DWSRF Set-asides and PWSS Grant Funding	11
4	B. Quality Assurance Requirements	12
	C. State Grant Workplans and Progress Reports – (GPI 11-03)	12
Λ ++	tachment A – Follow Up Action Items	13
Au	tachment B – 40 CFR 142.10 Primacy Requirements	1/1
Att	tachment B – 40 CFR 142.10 Primacy Requirements	17
Α 44	tachment C – Primacy Revision & Program Updates for Louisiana	15
All	acimicité de l'initiation de l'action de la company de la	.17
	tachment D – FY2013 Louisiana Violation Data & Inventory Information	
Λ+	tachment E – LDHH – Organizational Chart & District Engineer Assignments	19
7.0	MAINTIANTA TO TO TO TO THE PROPERTY OF THE PRO	

٠.	
٠.	
٠	
1	
-	
- 1	
. solvenood	
*	
1740000	
.	
: [	
California	
, P	
1	
- 1	
•	
(selabora)	
- 470	
100	
T. Commercial Commerci	
-	•
areason.	
A. C.	

#### I. Introduction

Title 40 of the Code of Federal Regulations (40 CFR) Part 142.17 (a)(1) states: At least annually the Administrator shall review, with respect to each State determined to have primary enforcement responsibility (primacy), the compliance of the State with the requirements set forth in 40 CFR part 142, subpart B. This report summarizes the required primacy end-of-year (EOY) review of the Louisiana Department of Health and Hospitals (LDHH) Public Water Supply Supervision (PWSS) Program by the Environmental Protection Agency (EPA) Region 6 (R6) Source Water Protection Branch, Drinking Water Section.

The LDHH program elements, which were previously adopted by the State and approved by EPA to meet 40 CFR 142.10 primacy requirements, are examined as well as State activities to meet new primacy requirements and initiatives under the 1996 Amendments to the Safe Drinking Water Act (SDWA). LDHH's achievements, activities, and shortfalls are highlighted throughout the report.

On Wednesday, April 23, 2014 members of the EPA R6 Drinking Water Section conducted the annual EOY review of LDHH's PWSS program. The following people participated in the review:

#### **EPA**

Blake Atkins, Chief, Drinking Water Section Amy Camacho, Louisiana Drinking Water State Program Manager (SPM) Andrew Waite, Backup Louisiana SPM and SDWIS\State Manager for Region 6 States Dawn Ison, Ground Water Rule and Water Security Manager (via phone)

#### <u>LDHH</u>

Jake Causey, Chief Engineer
Caryn Benjamin, Deputy Chief Engineer
Amanda Laughlin, Engineering Compliance Management
Johan Forsman, Science/GIS/Data Management
Kate Gilmore, SDWIS Management
Sean Nolan, Compliance Engineer

### II. Summary

In fiscal year 2013 (FY13), LDHH continued to maintain and strengthen their PWSS program by adoption of several drinking water rules under the 1996 SDWA Amendments. LDHH successfully obtained primacy for the Long Term 2 Enhanced Surface Water Treatment Rule (LT2 ESWTR), Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR), and the Lead and Copper Rule (LCR) Short-Term Revisions. The summary of findings, recommendations, and highlights noted throughout the report are as follows:

- Rule Adoption EPA R6 recommends that LDHH continue dedicating the resources
  necessary to ensure State adoption of the last promulgated drinking water rules, the
  Ground Water Rule (GWR) and the Revised Total Coliform Rule (RTCR). During the
  interim, we acknowledge and appreciate LDHH's willingness to collaborate with EPA
  R6 on implementation of these Rules through the primacy extension work load
  agreements.
- RTCR Primacy Extension Request On August 7, 2014, LDHH submitted a RTCR Primacy Extension Request. EPA R6 has agreed to meet with LDHH on August 22, 2014, to draw up a "Workload Implementation Agreement" to show how rule implementation will occur until rule adoption on April 1, 2017.
- SDWIS/STATE Reporting EPA R6 recommends that EPA and LDHH collaborate to produce the following: 1) Develop goals for each quarter by rule and violation type, for the percent of compliance decisions made in SDWIS/STATE, and document LDHH's compliance determinations that are at least as stringent as the Federal rules; 2) Develop goals for each quarter on the number of inventory discrepancies by type from queries against SDWIS/STATE; and 3) Use these two goal-tracking documents to target database work for the following six months.
- Monitoring Waivers EPA R6 recommends that LDHH consider implementing chemical monitoring waivers since many PWSs in Louisiana have no history of detections and could be reduced to less frequent monitoring with a significant reduction in burden on staff and laboratory capacity.
- Water System Sample Schedules and Sampling Backlog Has LDHH resolved the backlog of samples, (e.g., lead/copper, VOCs, SOCs, etc.)? If not, what is LDHH's timeline? Again, this further emphasizes the need to institute electronic reporting of the samples and sample results with the laboratories and to implement a scheduling business system.
  - <u>LDHH Response</u>: Currently, LDHH does not have a significant backlog on samples. 61 of 2673 wells (2%) are past due for samples by no more than 3 months. LDHH is up to date on other required chemical samples. There is a 2-3 month delay in the lab analysis reporting except for hits (>1/2 MCL). With the new Baton Rouge lab now open, and Star-LIMS implementation this year, the reporting delay is expected to be reduced if not eliminated.
  - o <u>EPA R6 Update</u>: We are satisfied with LDHH's response. Thank you for the comment.

Also, please see Attachment A to review specifically any action items that developed during the program review.

## III. Primacy Requirements

The annual program review required under 40 CFR Section 142.17 requires that EPA conduct a program review at least annually to determine if the State is meeting the requirements of 40 CFR Section 142.10 in order to retain primacy. These requirements include the following statutory categories:

- Adoption of state regulations that are no less stringent than federal requirements
- Adoption and implementation of enforcement procedures
- Recordkeeping and reporting
- Variances and exemptions
- Planning for provision of safe water in emergencies

In accordance to 40 CFR Section 142.10, there are 18 elements found in the above five statutory categories, defined under Attachment B of this report. It is these 18 elements that are evaluated by EPA R6, either through the annual PWSS program review conducted by the Source Water Protection Branch, Drinking Water Section; the enforcement program review by the Enforcement and Compliance Assurance Division; or the financial review on the DWSRF program also conducted separately by the Assistance Program Branch, State and Tribal Programs Section.

# IV. Organizational Structure & Staffing

Staff from the LDHH Office of Public Health - Engineering Services Division implement primacy program requirements and associated regulations. The LDHH central office is located in Baton Rouge, along with four district offices in five regions. The district offices are located in New Orleans, Baton Rouge, Lafayette, and Shreveport. These offices coordinate compliance determination and monitoring for each region. Each region is composed of four to twelve parishes of various sizes.

LDHH central office staff members oversee program and rule implementation, rule adoption, technical assistance, data management, and enforcement activities. This oversight by LDHH is provided to ensure rule compliance requirements are achieved, and to assist water systems in doing so. Central staff also administrate contractual agreements with other state agencies. Communication is conducted with regional field staff on a regular basis through GoTo meetings, through e-mails, telephone, fax, and direct site visits.

Bi-monthly meetings with all engineering services staff are held via videoconference to perform training and to keep regional staff informed of new and upcoming changes to implementation of the drinking water regulations. Rule or SDWIS training is also held as needed.

Regional staff members are comprised of engineers and sanitarians. Each regional office is comprised of at least one engineer and one sanitarian or two engineers. Engineers provide technical assistance to water systems, perform SWTR compliance, conduct sanitary surveys and plan/specification reviews, and respond to and investigate water complaints and emergencies. Engineering Services Sanitarians conduct sanitary surveys, perform TCR/GWR compliance, collect chemical samples and respond to investigate water complaints and emergencies.

During FY13, LDHH attempted to fill many of the staff vacancies, both in the Regional Offices and in the Central Office, that have primarily occurred due to retirements. The total SDWP Full Time Equivalent (FTE) levels are 38.4. LDHH has one additional vacancy they will be interviewing for. LDHH management anticipates this position will be filled without delay. Please see Attachment E of this report to view the current LDHH Organizational Chart.

## V. Rule Adoption and Implementation

One major requirement in maintaining primacy is for the State to adopt drinking water regulations which are no less stringent than the National Primary Drinking Water Regulations (NPDWRs). Despite budget and FTE constraints, LDHH has managed to adopt all but two of the promulgated federal drinking water rules, the Ground Water Rule (GWR) and the Revised Total Coliform Rule (RTCR). EPA appreciates LDHH's commitment to implement these Rules, which have not yet been adopted, per EPA/LDHH primacy extension workload agreements. State rule implementation activities for the GWR conducted by LDHH include (but are not limited to) compliance determinations, the issuance of sanitary survey reports identifying significant deficiencies, and collecting/recording public notice submissions. Any enforcement (such as the issuance of notice of violation letters or Administrative Orders) remains to be carried out by EPA R6 until LDHH receives primacy for rules yet to be adopted. LDHH anticipates publishing the Notice of Intent for adoption of the GWR in the State Register by July 2015. LDHH intends to request primacy for this Rule by the end of 2015. A complete chart of the LDHH program revision and update information can be found under Attachment C of this report.

<u>EPA R6 Recommendation</u>: EPA R6 recommends that LDHH continue dedicating the resources necessary to ensure State primacy by adopting the Ground Water Rule and the Revised Total Coliform Rule as soon as possible.

A. Non-Adopted Rule Status - Ground Water Rule

The GWR was published November 21, 2006 and became effective December 1,
2009. This rule requires ground water systems to perform triggered source
monitoring if they are notified of a positive Total Coliform Rule sample. Systems
may choose to conduct compliance monitoring (4-log treatment) in lieu of triggered
source monitoring, but have monitoring requirements to ensure required treatment
is achieved. The GWR also requires water systems to implement specific corrective
actions anytime a significant deficiency is identified or a triggered source sample is
positive for *E. coli*. Also, if directed by the state, systems must conduct source water

assessment monitoring. LDHH relies heavily on the Electronic Sanitary Survey SWIFT tool to fully implement the GWR.

Overall the GWR implementation process conducted by EPA and LDHH has been working effectively. Dawn Ison, the EPA R6 GWR manager, continues to assist LDHH when needed while Andy Waite, the EPA R6 SDWIS lead, continues to provide support with SDWIS database issues. As noted under Rule Adoption and Rule Implementation, LDHH anticipates initiating rule adoption by July 2015, and will submit the respective primacy package by December 2015.

B. Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rule LDHH continues implementing the newly adopted Rule. Compliance determinations continue under the Stage 1 DBPR and transition efforts are on-going to help water systems comply with the Stage 2 DBPR. LDHH reported that the majority of systems have an approved monitoring plan and have met respective sampling requirements. In FY13, EPA R6 continued to provide training to LDHH staff and participated in monthly conference calls on implementation issues.

<u>LDHH Request</u>: LDHH requested SDWIS reporting assistance from EPA R6 for Stage 2 DBPR. The timeframe was discussed, and EPA R6 has scheduled this meeting for September 2014.

- C. Total Coliform Rule & Upcoming Revised Total Coliform Rule
  New changes to SDWIS\State are requiring an adjustment period for TCR implementation. Most noticeable is the change in how SDWIS\State handles compliance determinations in the new bridge tool that accompanies SDWIS\State 3.2.
  In addition, new LDHH processes have been developed for generating NOVs automatically. This process will help staff address violations in a timely manner. Effort has also been placed on the development of training documentation.
- Currently, the only training for the upcoming Revised Total Coliform Rule (RTCR) is through EPA Headquarters' webinar training. EPA R6 also hopes to host training from their Dallas office. LDHH is strongly encouraged to provide input and topics for RTCR training. On August 7, 2014, LDHH submitted a RTCR Primacy Extension Request. EPA R6 has agreed to meet with LDHH on August 22, 2014, to draw up a "Workload Implementation Agreement" to show how rule implementation will occur until rule adoption on April 1, 2017.

<u>LDHH Request</u>: Due to the lack of travel funds for field staff, LDHH requests that Andy Waite, the TCR/RTCR rule manager, provide RTCR training at the LDHH central office during his presentation of Stage 2 DBPR SDWIS training in September 2014.

D. Long Term 1 & 2 Enhanced Surface Water Treatment Rule Under the latest primacy package revision application, LDHH was granted final primacy for the LT2 Rule, September 2013. Under the Surface Water Treatment Rule (SWTR), states were required to determine ground water sources under the direct influence of surface water. LDHH made these determinations, and is classifying ground water systems under the direct influence of surface water (GWUDI) as surface water systems and thus subject to all applicable surface water treatment rule regulations. This includes mandated filtration and Cryptosporidium monitoring, which has now been completed for all surface water systems.

#### E. Lead and Copper Rule

LDHH adopted primacy for the Lead and Copper Short-Term Revisions. The current LDHH rule coordinator, Sean Nolan, stated during the program review that they had adopted the "Reduction of Lead in Drinking Water Act" standards by reference in September 2013.

## VI. Other PWSS Program Initiatives & Statutory Requirements

#### A. Capacity Development

The Capacity Development Program annual report was submitted via email to EPA R6 on September 29, 2013. EPA R6 appreciates LDHH's timeliness in submitting the report. During the review, LDHH was reminded by EPA R6 that the Governor's report is required along with the annual report by September 2014. LDHH was also encouraged to better describe within their annual report, a summary of the systems that received technical, financial, and/or managerial assistance quarterly.

#### B. Operator Certification

EPA R6 received the July 1, 2012 – June 30, 2013 annual State's Operator Certification Program on August 28, 2013. The report was in accordance with the requirements of the Federal Operator Certification Program Guidelines. EPA R6 recommends the 2013- 2014 LDHH Operator Certification annual report be submitted no later than August 1, 2014 in order to provide EPA R6 with an appropriate timeframe to review the report by the September 30, 2014 approval deadline.

### C. Source Water Assessment/Wellhead Protection

The Louisiana Department of Environmental Quality (LDEQ) continues to administer the state's source water assessment (SWA) and wellhead protection (WHP) programs supported through Clean Water Act funding. Implementation efforts focus on systems who have yet to establish protection programs, community outreach and training, and the continuous review/update of older plans. LDEQ staff members continue to coordinate with LDHH staff on updates and information sharing activities on the SWA and WHP programs.

#### D. AWOP

In FY14, LDHH's participation in EPA R6 AWOP activities has been curtailed due to the sampling efforts and the emergency Rule for chlorine residuals related to *Naegleria fowleri* monitoring activities in the state. We appreciate LDHH's recent commitment in participating in a distribution system exercise with EPA R6, scheduled for October 21-23<sup>rd</sup>, near Shreveport.

#### E. Water Security

LDHH staff members administer the Water Security Program, and assist with the Louisiana Water/Wastewater Agency Response Network (LaWARN) program (mutual aid program run by utilities). LDHH has fully integrated with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) and currently has a seat under Emergency Support Function-12 (ESF-12) at the State Emergency Operations Center, to handle drinking water and wastewater issues. Under the State Emergency Operations Plan, ESF-12 is the Energy and Utilities Function and has the critical responsibility of maintaining continuous and reliable energy supplies for Louisiana. The Plan has been rewritten to include LDHH as the primary support agency under ESF-12 for assistance to drinking water and wastewater utilities. After an incident, LDHH conducts phone and on-site evaluations to determine the operational status of water systems and to identify any critical needs. LDHH provides systems with information on how to get support if it is needed and reports the operational status to GOHSEP and also to EPA R6 upon request. LDHH staff members are trained in both the National Incident Management System (NIMS) and Incident Command System (ICS). LDHH conducts drills every few months to prepare for water system emergencies. Staff members have worked with EPA R6 to implement the Response Manager Program to manage data associated with water system status and evaluations during emergency events. LDHH is requesting Response Manager training to accommodate new staff. Going forward, LDHH is working on developing a web portal where systems can self-report their status and needs via submission of a completed evaluation form.

<u>LDHH Request</u>: LDHH requested that EPA R6 provide Response Manager training. This training was provided on July 30, 2014.

#### F. Sanitary Surveys

Under the IESWTR and LT1, sanitary surveys are required for all surface water systems and all systems under the direct influence of surface water. The GWR, which became effective December 1, 2009, also requires sanitary surveys for all ground water systems. LDHH conducts sanitary surveys on a frequency of once every three years at community water systems (CWS) and once every five years at non-community water systems (NCWS). During FY 2013, LDHH conducted 473 sanitary surveys, thus attaining their goal of 414. We commend LDHH for continuing to meet their annual goal in conducting sanitary surveys.

#### G. Data Reporting & SDWIS/State

The State has completed its migration to SDWIS/STATE Web Release 3.2.1. LDHH utilizes sample schedules in SDWIS for TCR, DBPR and SWTR. LDHH tracks and

schedules chemical samples using SDWIS facility indicators. Sample schedules are utilized for systems that have hits and monitor quarterly.

EPA R6 Recommendation: EPA and LDHH should collaborate to conduct the following:

- 1. Develop goals for each six-month period, by rule and violation type, for the percent of compliance decisions made and document LDHH's compliance determinations are at least as stringent as the federal rules.
- 2. Develop goals for each three-month period on the number of inventory discrepancies by type from queries against SDWIS/STATE.
- 3. Use these two goal-tracking documents to target database work for the following six months.

Sample collection scheduling is determined by the regions, based on the last sample date, geography, and public health concerns. Overall, LDHH is content with SDWIS/STATE scheduling and the summaries that are generated.

<u>EPA Request for Clarification</u>: Has LDHH re-evaluated sample schedules and monitoring periods to ensure they are correctly configured for compliance determination and whether systems require unique schedule?

<u>LDHH Response</u>: We worked with Andy to implement DBP schedules. We do see issues and have requested additional help from EPA.

<u>EPA Update</u>: EPA R6 is satisfied with LDHH's response as we are in the process of assisting LDHH.

<u>EPA R6 Recommendation</u>: LDHH should provide an update and time line for reporting both chemical and bacteriological results electronically into SDWIS/STATE.

<u>LDHH Response</u>: Chemicals (Ph25 and Radionuclides) are migrated into SDWIS now. We have implemented outside lab electronic reporting for DBPs on an individual lab basis. Roughly 30% of the DBP data is migrated. Upon STARLIMS implementation, bacteriological sample results will also be migrated. Star-LIMS will automate the process and provide greater detail on individual samples and provide for electronic reporting of results.

<u>EPA Update</u>: EPA R6 is satisfied with LDHH's response. Thank you for your comment.

H. Lab Capacity & Certification

Under 40 CFR Section 142.10(b)(3), the State is required to establish and maintain a State program to certify laboratories conducting analytical measurements of contaminants identified in State primary drinking water regulations. The State is also

required to designate a laboratory officer or officers certified by the EPA Administrator that are responsible for the State's certification program.

LDHH certifies laboratories throughout the State through their designated laboratory officers. Water system lab certification is primarily for bacteriological analyses for monitoring in accordance to the TCR. LDHH also certifies laboratories for chemical testing of drinking water in accordance to the National Environmental Laboratory Accreditation Program (NELAP), which is accepted by EPA in lieu of EPA's Drinking Water Certification program. The majority of the chemical analyses are conducted in the State's primary drinking water laboratory located in Metairie, LA. bacteriological analyses are conducted in one of three State bacteriological labs located in Shreveport, Amite, and/or Metairie, since the Lake Charles laboratory closed in early FY 2012. LDHH consolidated the respective workload by having samples analyzed at the Amite State laboratory.

In FY 2011, the New Orleans laboratory opened, became fully operational, and was certified to analyze chemical and bacteriological samples. The ability to use this additional State lab has enabled routine sample migrations via Lab-to-State and/or Electronic Data Interchange (EDI), thus allowing for more timely and accurate reporting of data. All drinking water sampling provided by the State is being analyzed by state laboratories. LDHH has also taken over another state laboratory, originally LDEQ's laboratory located in Baton Rouge, and added a laboratory annex. LDHH believes by having the new permanent lab located in Baton Rouge, it will facilitate better communication with the LDHH Central Office. The laboratory annex was completed in July 2014.

Laboratory Availability

Assurance of the availability of certified State laboratory facilities capable of performing analytical measurements of all contaminants is specified in the State's primary drinking water regulations, required under 40 CFR Section 142.10(b)(4). In FY 2011, LDHH included rule language requiring that previously certified laboratories were now required to report electronically to the State in accordance to the format provided. Since March 2012, this rule has been in effect for any new laboratory requesting certification.

Labworks is the software the State is using online to deliver electronic chemical data to SDWIS/STATE. LDHH still needs to bring this software, referred to as STAR-LIMS, online as it already has been configured to submit electronically their chemical and bacteriological samples and results to SDWIS/STATE.

EPA Request for Clarification - Please provide an update as to the results of the STAR-LIMS pilot. Has LDHH moved to STAR-LIMS for chemical and biological reporting and if not, what is the timeline for full implementation of STAR-LIMS?

<u>LDHH Response</u>: We expect to have Star-LIMS online for Bacteriological Sampling this year. LDHH will implement chemical sampling in Star-LIMS at the beginning of next year. As of August 2014, LDHH is awaiting final approval on the procurement from DOA.

<u>EPA Update</u>: EPA R6 is satisfied with LDHH's response. Thank you for your comment.

The State is not fully utilizing the sampling schedule capabilities of SDWIS/STATE, as the State is still manually entering sample results (for DBPs and bacteriological samples) into the system. EPA R6 is concerned that the lack of complete sampling schedules leads to staff uncertainty of sample results as well as a reliance on differing processes across the regions, i.e. for the Phase II and V chemicals (all Regions) and the SWTR suite (for Region 2). It is important to note that sample schedules for TCR, Stage 2 DBPR, CCR, PN and the LCR are in SDWIS/STATE, so this is not an issue for these respective rules.

#### Collection Schedules

The regional staff is responsible for collecting all routine chemical samples. Regional staff also conduct investigative and follow up sampling in cases where there are potential or suspected public health problems in the treatment or distribution of drinking water. All systems are required to coordinate with an LDHH-certified laboratory to perform their own DBP and UCMR analyses and report this data to LDHH for compliance determination. The LDHH-OPH Laboratory is certified to perform all other routine SDWP chemical testing.

#### Monitoring Waivers

Louisiana has statewide waivers for dioxin and asbestos. LDHH has not developed a chemical waiver program for any other inorganic chemicals (IOCs), volatile organic compounds (VOCs), or synthetic organic chemicals (SOCs). In response to previous recommendations to adopt a waiver program, the State expressed concern that waivers are less protective of public health. However, nearly all states maintain waiver programs and demonstrate through periodic sampling that the waivers are defensible. If a waiver program was instituted, the State's sample collection burden could be dramatically reduced. Also, with consideration by LDHH to sample at entry points to the distribution systems, rather than at every source for routine monitoring, it will reduce monitoring and may significantly reduce the burden on LDHH. This approach could possibly free up staffing resources to develop a chemical waiver program, resulting in cost savings.

<u>EPA R6 Recommendation:</u> LDHH should consider implementing chemical monitoring waivers since many PWSs in Louisiana have no history of chemical detections and could be reduced to less frequent monitoring with a significant reduction in burden on staff and laboratory capacity.

I. Annual Compliance Report
Section 1414(c)(3)(A) of the 1996 SDWA requires primacy States to prepare an
annual compliance report (ACR) on federal primary drinking water regulation
violations. LDHH continues to remit the annual compliance report which includes
violations between January and December of each year by July of the following year.

## VII. Funding

A. DWSRF Set-asides and PWSS Grant Funding EPA R6 encourages LDHH to maximize DWSRF set-aside funding to support the Drinking Water (DW) program. Although ULOs will continue to be a national DWSRF priority as the federal budget continues to be scrutinized, LDHH continues to address the challenge of expending unliquidated obligations (ULOs) responsibly. (ULOs are defined as the difference between the amount obligated in the Federal capitalization grant award and the total amount of outlays against that obligation.)

LDHH was awarded the FFY 2014 allotment of \$1,358,000 in two awards. \$349,561 was awarded December 2013, and \$1,008,439 was awarded June 2014. The LDHH project officer for the PWSS/DWSRF grant programs is Javier Balli. Both the Advanced Monitoring Review Report for the PWSS program and the draft DWSRF Program Evaluation Report are expected to be sent to LDHH when finalized.

Mr. Balli appreciates the communication between both grant programs and with EPA R6 during the year. An example of this communication was regarding the East Cove Utility water system that has been suffering financial and operational difficulties for many years. Unfortunately, a 'willing seller' was not apparent in this situation. Another example was the DWSRF program's desire to assist the LDHH DW program. Specific examples were a microscope for crypto testing of PWS samples and the possibility of supporting STAR-LIMS software for the DW program's laboratory information management system for total coliform, chlorine residuals and other indicators that were associated with the *Naegleria fowleri* amoeba response. Mr. Balli commends the programs for charging actual versus budgeted personnel to the grant. He also commends both programs for completing biweekly timesheets and for continuing to monitor payroll and rent charges.

B. Quality Assurance Requirements
The Quality Assurance requirements for LDHH's PWSS program are current as of the
EOY program review. The Quality Management Plan (QMP) is a document describing
the overall quality assurance efforts in the State. This includes the State's overall
quality management philosophy and the agency's responsibility for administering the
quality assurance program. The current approved QMP will expire June 2015. The
Quality Assurance Project Plans (QAPPs) stress data quality objectives related to
sample collection and sample analysis. There are two QAPPs related to the drinking
water program. One plan focuses on field sample collection activities. The other plan
covers laboratory analysis of the collected drinking water samples at the LDHH

laboratory. Both QAPPs will expire on October 31, 2015. EPA R6 requests that revised plans be submitted at least 60 days prior to the expiration of the previously approved plan to allow for review and approval of the updated plan.

C. State Grant Workplans and Progress Reports - (GPI 11-03)
For all State Categorical Program Grants awarded on or after October 1, 2012, workplans and associated progress reports must prominently display three Essential Elements:

Essential Element 1 – Strategic Plan Goal: Protecting America's Waters Essential Element 2 – Strategic Plan Objective: Protecting Human Health Essential Element 3 – Workplan Commitments plus time frame

The EPA Regional office will be required to electronically post workplans and progress reports in the IT application established for this policy [Grants Policy Issuance (GPI) 11-03].

We will work with LDHH, once it is determined how these new requirements will affect their respective PWSS grant funding.

# Attachment A – Follow Up Action Items

Action Item	Responsibility—	Duc Date
1. Please address equipment	`	
request made to SRF/PWSS	•	
project officer, Javier Balli, on		ASAP – Completed
the eligibility of purchase request	EPA R6	Approved on 4/28/14 per Javier Balli
of lab equipment.	**************************************	
2. LDHH request for		
Enforcement officer, Hannah		ACAD Commisted
Branning, to review draft AO		ASAP – Completed
letters prior to being finalized in addition to being copied on final	EPA R6	Corrected via email request from LDHH on 4/24/14
AOs.		011 4/24/14
3. LDHH request for sanitary		
survey training.	EPA R6	Scheduled for August 18-22, 2014
4. LDHH request for SDWIS		
Stage 2 Compliance on OELs as	TDA DC	G-1-1-1-1-1-G
well as RTCR training.	EPA R6	Scheduled for September 12-13, 2014
5. LDDH request to see if Region		
has any on-line Response	EPA R6	Scheduled for July 30, 2014
Manager training.	1277 10	
6. LDHH request for three-year	EPA R6	LDHH to request 3-yr approval next
review of QAPP.	,	submittal, August 31, 2015
7. LDHH request for extension on	EPA R6	By August 2014
for adoption of RTCR.		

#### Attachment B - 40 CFR 142.10 Primacy Requirements

Regulations specified in 40 CFR 142.10 require states that have been delegated primary enforcement authority (primacy) for the Safe Drinking Water Act to meet the following requirements:

- 1. Adopt drinking water regulations which are no less stringent than the national primary drinking water regulations (NPDWRs);
- 2. Adopt and implement adequate procedures for enforcement of such State regulations;
- 3. Maintain an inventory of public water systems;
- 4. Develop a systematic program for conducting sanitary surveys of public water systems in the State;
- 5. Establish and maintain a State program for the certification of laboratories conducting analytical measurements of drinking water contaminants;
- 6. Assure the availability to the State of laboratory facilities certified by the Administrator and capable of performing analytical measurements of all contaminants specified in the State primary drinking water regulations;
- 7. Establish and maintain an activity to assure that the design and construction of new or substantially modified public water system facilities will be capable of compliance with the State primary drinking water regulations;
- 8. Have authority to apply State primary drinking water regulations to all public water systems in the State;
- 9. Have authority to sue in courts of competent jurisdiction to enjoin any threatened or continuing violation of the State primary drinking water regulations;
- 10. Have right of entry and inspection of public water systems;
- 11. Have authority to require suppliers of water to keep appropriate records and make appropriate reports to the State;
- 12. Have authority to require public water systems to give public notice that is no less stringent than EPA requirements in 40 CFR 142.32 and 142.16(a);
- 13. Have authority to assess civil or criminal penalties for violation of the State's primary drinking water regulations and public notice requirements;
- 14. Have authority to require community water systems to provide consumer confidence reports as required under 40 CFR part 141, subpart 0;
- 15. Establish and maintain record keeping and reporting of its activities, including quarterly reports to the Administrator (Safe Drinking Water Information System) of violations, enforcement actions, notification of any variances and exemptions, and water system inventory information from the previous quarter;
- 16. If the State permits variances or exemptions, or both, from the requirements of the State primary drinking water regulations, the State shall do so under conditions and in a manner no less stringent than federal requirements;
- 17. Adopt and implement an adequate plan for the provision of safe drinking water under emergency circumstances;
- 18. Have authority for assessing administrative penalties.

# ATTACHMENT C - Primacy Revision & Program Update For Louisiana

(Revised 11/15/10)	State Add	option	Final Primac Applic		Final EPA Approval		
Rule	Status	Date	Status	Date	Status	Date	
IESWTR	Adopted	12/02	Received	03/02	Approved	4/05	
Stage 1 DBPR	Adopted	6/04	Received	9/03	Approved	4/05	
CCR	Adopted	8/00	Received	5/00	Approved	7/03	
Administrative Penalty Authority	Adopted	6/00	Received	5/00	Approved	7/03	
Arsenic Rule	Adopted	7/09	Received	4/11	Approved	8/11	
Public Notification Rule	Adopted	10/09	Received	4/11	Approved	8/11	
Radionuclide Rule	Adopted	7/09	Received	4/11	Approved	8/11	
Filter Backwash Recycling Rule	Adopted	7/09	Received	4/11	Approved	8/11	
LT 1 Rule	Adopted	7/09	Received	4/11	Approved	8/11	
New PWS Definition	Adopted	6/00	Received	5/00	Approved	7/03	
LCR Minor Revisions	Adopted	10/04	Received	6/04	Approved	4/05	
Variance and Exemption Rule	Adopted	8/00	Received	5/00	Approved	4/05	
LT2 ESWTR	Projected	5/12	Received	12/12	Approved	9/13	
Stage 2 DBPR	Projected	5/12	Received	12/12	Approved	9/13	
Ground Water Rule	Projectéd	12/15	TBD		on Expired on 1	*****	
Revised Total Coliform Rule	Projected	4/17	TBD	Workload	xtension Reques 8/7/14 Implementation Meeting: 8/22/	n Agreement	
Lead and Copper Rule Short Term Revisions	Projected	05/12	Received	12/12	Approved	9/13	

## ATTACHMENT C (continued)

	Deadline for EPA	Draft Program	n Submitted	Final Progra	ım Approval
Program Area	Final Approval	Projected	Actual	Projected	Actual
					,
Capacity Development-	08/06/00	·	03/21/98	09/00	08/00
existing systems					
Operator Certification	02/05/01		06/21/99	02/01	06/01

# Attachment D - FY2013 Louisiana Violation Data & Inventory Information

# Number of Systems in Violation in Louisiana During FY 2013 (October 1, 2012 thru September 30, 2013 as of April 1, 2013) (Small <= 3,300; Medium: 3,301 - 10,000; Large >10,000)

MCL, TT, and MRDL Violations (Health Based Standards)		Community			1.	on-Transie n-Commu		Transient Non-Community			Total
		Smal	Mediu m	Larg e	Smai	Mediu m	Larg e	Smal	Mediu m	Large	
Phase II/V	ARSENI C	6									6
Disinfection By- Products Rule	Comb 1&2	39	7	2	2						50
Surface Water Treatment Rules	SWTR	1									1
Lead and Cop	per Rule	4								<del>-</del>	4
<b>Ground Wat</b>	er Rule	99	8	3	3		<u> </u>	12			125
Total Colifor	m Rule	53	19	9	4		12. 1	2			. 87

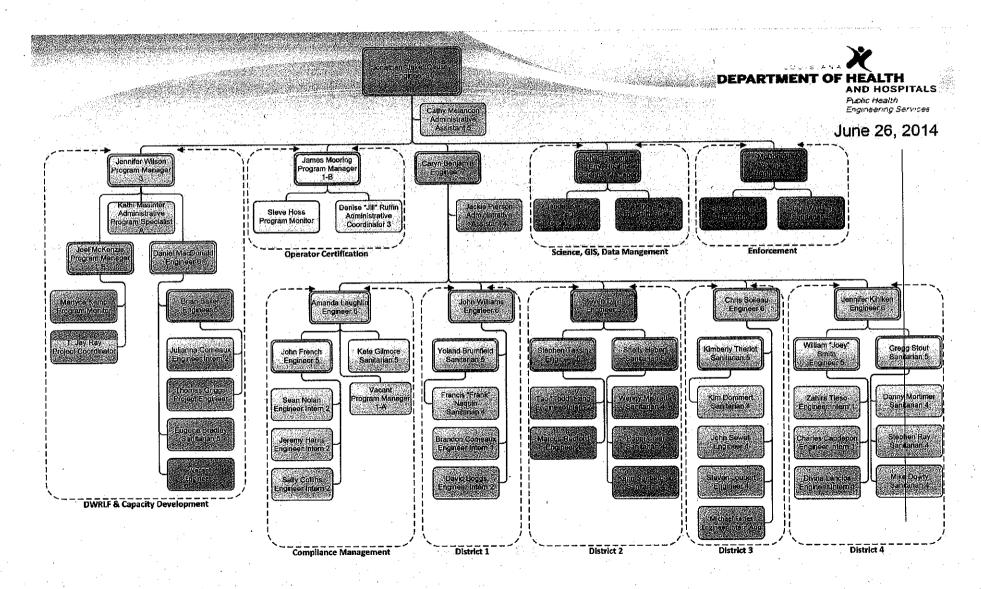
	M and R and		Communit	y	Non-Transient Non-Community			Transient Non-Community			Total
Consumer No Violation		Smal I	Mediu m	Larg e	Smal I	Mediu m	Larg e	Smal I	Mediu m	Large	
Disinfection By- Products Rule	Comb 1&2	347	46	17	38			7			455
Surface Water	Long Term 1	4									4
Treatment Rules	SWTR	3								. :	3
Lead and Cor	per Rule	115	10		7			1			133
Ground Wate		26	8	1	4		<u> </u>	8			47
Total Colifor	m Rule	138	9	2	19			57		<u> </u>	225
Consumer	CCR	125	13	2					<u> </u>		140
Notification	PN	141	9	1	13	,		43			206

# Number of Violation in Louisiana During FY 2013 (October 1, 2012 thru September 30, 2013 as of April 1, 2013) (Small <= 3,300; Medium: 3,301 - 10,000; Large >10,000)

MCL, TT, and MRDL Violations (Health Based		,	Community			Non-Transient Non-Community			Transien Ion-Commu	Total	
Standa		Small	Medium	Large	Small	Medium	Large	Small	Medium	Large	
Phase II/V	ARSENIC	15									15
Disinfection By- Products Rule	Comb 1&2	136	14	4	3						157
Surface Water Treatment Rules	SWTR	4									4
Lead and Cop	per Rule	5									5
Ground Wate	er Rule	105	. 8	3	3			12			131
Total Coliforn	n Rule	65	21	11	4			2		į.	103

M and R and Consumer Notification		Community			Non-Transient Non-Community			Transient Non-Community			Total
Violati	ons	Small	Medium	Large	Small	Medium	Large	Small	Medium	Large	
Disinfection By- Products	Comb	900	101	20	0.4						
Rule	1	809	101	36	84		-	8			1038
Surface Water	Long Term 1	40				,				,	40
Treatment Rules	SWTR	40									40
Lead and Cop	per Rule	157	11		10	·		1			179
<b>Ground Wate</b>	r Rule	31	11	1	8	,		15			66
<b>Total Coliforn</b>	n Rule	279	10	2	24	·		111			426
Consumer	CCR	285	21	2							308
Notification	PN	342	10		23			83			458

## Attachment E - LDHH Organizational Chart



	}			1 Mar 111		
					•	
			•			
٠.						
	To the state of th	•				
				•		
	and the second s	÷		**		
			•			
. :			· ·			
· N						
٠.		*				
: ,				4.5 miles		
	See Long To the Control of the Contr	,			•	
		• •				·
		. •				
		•				_
÷.,,				-		
		•				
	#} 5		•			e e e e e e e e e e e e e e e e e e e
					•	
						•
-						
		•				•
	•					
				· · · · · · · · · · · · · · · · · · ·		
					•	
	<u>.</u>	•				
2		2000			•	
1				* *	•	
						•
					• • •	
- 4						
.,						
•		•	Ŋ., a			
}						
	:	•				
	•				•	
٠. ا			the second			
	-					
						•
1						•
		* 4				
, and						
Arthur.			$(1, 1, \dots, n) = \frac{1}{2} e^{-\frac{2\pi i}{2} \left( \frac{1}{2} - \frac{1}{2} \right)} = \frac{1}{2} e^{-\frac{2\pi i}{2} \left( \frac{1}{2} - \frac{1}{2} \right)} = \frac{1}{2} e^{-\frac{2\pi i}{2} \left( \frac{1}{2} - \frac{1}{2} \right)} = \frac{1}{2} e^{-\frac{2\pi i}{2} \left( \frac{1}{2} - \frac{1}{2} - \frac{1}{2} \right)} = \frac{1}{2} e^{-\frac{2\pi i}{2} - \frac{1}{2} - \frac{1}{2}} = \frac{1}{2} e^{-\frac{2\pi i}{2} - \frac{1}{2}} = \frac{1}{2} e^{-\frac{2\pi i}{2}} = \frac{1}{2} e^{-\frac{2\pi i}{2} - \frac{1}{2}} = \frac{1}{2} e^{-\frac{2\pi i}{2} - \frac{1}{2}} = \frac{1}{2} e^{-\frac{2\pi i}{2}} = \frac{1}{2} e^{$			
200.00		• •				
-	•					
		•				
- 4						
			The state of the state of			•
-				the part of the second		
. 4					and the second second	for the second second
- 1			and the state of			
	·					
4.						And the second of the second
		•				
1						
			•			
						•
•						
-						
-						
-		4.1				
- 1						
	•		· · · · · · · · · · · · · · · · · · ·		•	
					٠.	